SOCIAL WELFARE AND LABOUR SECRETARIAT

Order No. SWL 50 LLA 75, Bangalore, dated the 5th March, 1975.

S.O. 1053 .—WHEREAS, before the Presiding Officer, Labour Court. Bangalore, a complaint was made under Section 33-A of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947), by Sri Shivalingaiah and Sri Krishnappa, care of Bangalore General Labour Union, Subedar Chatram Road, Bangalore-9.

AND, WHEREAS, the said Labour Court adjudicated upon the said complaint and submitted its award to the State Government as required under Section 15 read with Section 33-A of the said Act.

NOW, THEREFORE, in exercise of the powers conferred by section 17 of the Industrial Disputes Act 1947 (Central Act No. 14 of 1947) the Government of Karnataka hereby directs the publication of the said award in the *Karnataka Gazette.*

By Order and in the name of the Governor of Karnataka,

K. MYLARAPPA,

Under Secy. to Govt. S.W. and L. Dept.

BEFORE THE PRESIDING OFFICER,
LABOUR COURT, BANGALORE.

Dated this 19th day of February 1975

Present:

Shri. P. Srinivasacharya, B.A., LL.B., .. *Presiding Officer.*

Complaint Application No. 8 *of* 1974

IN

Reference No. 69 *of* 1974

Complainant:

1. Sri Shivalingaiah (Unit President), care of Bangalore General Labour Union.

2. Sri Krishnappa (Unit Vice-President), care of Bangalore General Labour Union, Subedar Chatram Road, Bangalore-9.

Opposite Party:

Messrs. Bangalore Chemical and Manufacturing Company Private Limited, Rajajinagar, Bangalore-44 By its Secretary, Sri K. Ramanathan.

AWARD

1. This is a complaint application under Section 33A of the Industrial Disputes Act by the above named complainants against Bangalore Chemical and Manufacturing Company Private Limited, Bangalore-44. Their case is that in Reference No. 69 of 1974 they had attended the Court for 8 days and the opposite party had made an illegal and unjustified deduction in the wages of these complainants. This is a clear violation of Section 33 of the Industrial Disputes Act. Hence the opposite party be directed to refund Rs. 94.98 to Mr. Shivalingaiah and Rs. 93.92 to Sri Krishnappa.

2. This has been opposed by the opposite party saying that on several occasions the representatives of union who will attend the conciliation of Labour Court cases, would be given permission only to the extent of the actual time required and subject to only one representative. But without heeding to the advice of the management, two representatives used to go for one full day for the days of conciliations. Since they did not care to follow the advice of the management there was no other way left except to adjust and grant them their earned leave for the days they have attended conciliation. Further the management had not deducted any wages from the complaints and question of awarding any compensation or cost does not arise.

3. On 10th February 1975 when the case was called on Sri Mallesh who appears for the opposite party, submitted that the opposite party has agreed to readjust the leave and credit the 8 days leave to each one of the complaints and the matter be closed. The terms are reasonable and fair and hence I accept the same.

4. In the result, the complaint is closed. No costs.

P. SRINIVASACHARYA,
Presiding Officer,
Labour Court, Bangalore.